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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/708,638	03/17/2004	Chi-Yang Lin	VIAP0101USA 2637		
27765 75	90 09/22/2006		EXAMINER		
NORTH AME	RICA INTELLECTUA	PIZIALI, JEFFREY J			
P.O. BOX 506 MERRIFIELD,	VA 22116	ART UNIT	PAPER NUMBER		
,			2629		
			DATE MAILED: 09/22/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

1)⊠ Responsive to communication(s) filed on 17 March 2004.  2a)□ This action is FiNAL. 2b)⊠ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s) 1-16 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)□ Claim(s) is/are allowed.  6)□ Claim(s) is/are objected to.  8)☑ Claim(s) 1-16 are subject to restriction and/or election requirement.  Application Papers  9)□ The specification is objected to by the Examiner.  10)☒ The drawing(s) filed on 17 March 2004 is/are: a)☒ accepted or b)□ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTC-152.  Priority under 35 U.S.C. § 119  12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)☒ All b)□ Some * c)□ None of:  1.☒ Certified copies of the priority documents have been received in Application No  3.□ Copies of the certified copies of the priority documents have been received in Application No  Copies of the certified copies of the priority documents have been received in Application No  See the attached detailed Office action for a list of the certified copies not received.			Application	Application No.		Applicant(s)			
	Office Action Summary		10/708,638		LIN ET AL.				
The MAILING DATE of this communication appears on the cover sheat with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Estanciano train may be availated used for the provision of ST CRT 13(8), in to event, however, may reply be timely field  1 th'O period for reply is applicated above, the maintain studency period will apply and will applie SM (6) MONTHS from the mailing date of this communication.  1 Fallur to reply with the set or extended period for reply its potalities, cause in application from the mailing date of this communication.  1 Fallur to reply with the set or extended period for reply its potalities, cause in application in 100c laster than the morths other the mailing date of this communication, even if briefly field, may reduce any secure parallel than the application in 100c laster than entires other the mailing date of this communication, even if briefly field, may reduce any secure parallel than the period of the communication and the period of this communication.  Status  Status  1 N Responsive to communication(s) filed on 17 March 2004.  2 D This action is FINAL 20 MT This action is non-final.  3 D Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 N Claim(s) is/are pending in the application.  4 D If the above claim(s) is/are allowed.  5 Claim(s) is/are allowed.  5 Claim(s) is/are rejected.  7 Claim(s) is/are rejected to.  8 D Claim(s) is/are objected to by the Examiner.  10 The oath or declaration is objected to by the Examiner.  10 The drawing(s) filed on 17 March 2004 (slare: a) S accepted or b D objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abovance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) inc			Examiner		Art Unit				
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Application/Control Number: 10/708,638

Art Unit: 2629

### **DETAILED ACTION**

## **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

## Election/Restrictions

2. This application contains claims directed to at least the following patentably distinct species:

Species I, drawn to a display controller comprising a plurality of mirror ratio setting units, wherein each of the plurality of mirror ratio setting units corresponds to an identical adjustment magnitude when adjusting the mirror ratio (see Paragraph 32, Lines 12-14 of the instant specification, for instance), and

Species II, drawn to a display controller comprising a plurality of mirror ratio setting units, wherein the plurality of mirror ratio setting units correspond to a plurality of different adjustment magnitudes when adjusting the mirror ratio (see Paragraph 32, Lines 14-16 of the instant specification, for instance).

Application/Control Number: 10/708,638

Art Unit: 2629

The species are independent or distinct because the species do not overlap in scope, i.e., are mutually exclusive; the species are not obvious variants; and the species each have a materially different design, mode of operation, function, and effect.

Applicants are required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-5 and 8-16 appear to be generic.

Applicants are advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicants must indicate which are readable upon the elected species. MPEP § 809.02(a).

3. A telephone call was made to Winston Hsu (Registration Number 41,526) on 18

September 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicants are advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

Art Unit: 2629

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicants traverse on the ground that the inventions or species are not patentably distinct, applicants should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

4. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### Conclusion

Page 5

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeff Piziali

18 September 2006